

## **REMARKS**

Claims 1-28 having been cancelled hereinabove, new Claims 29-36, added hereinabove, are now in this application.

Favorable reconsideration of this application, as presently amended, is respectfully requested.

While applicants disagree with the Examiner's rejections of claims 1-28, in order to expedite issuance of the present application, Claims 1-28 have been cancelled in favor of new claims 29-36. Applicants, however, reserve the right to further prosecute the subject matter of claims 1-28 in a later filed continuation application, if desired.

The undersigned attorney wishes to thank Examiner Mayo for reviewing new claims 29, 30, 33, and 34, which were proposed by applicants and forwarded to the Examiner by facsimile of February 1, 2006, prior to an originally scheduled personal interview of February 7, 2006. Prior to the interview, Examiner Mayo telephoned the undersigned and indicated that the proposed new claims would overcome the pending rejections. Accordingly, as a result of the Examiner's indication, the undersigned did not consider it necessary to carry out with the personal interview with the Examiner and the interview was cancelled.

New claims 31 and 32 depend from new claim 29 and new claims 35 and 36 depend from new claim 30. Therefore, claims 31, 32, 35 and 36 are also deemed to overcome the pending rejections.

As acknowledged by the Examiner, it is respectfully submitted that new claims 29-36 do indeed overcome the pending rejections of claims 1-28 (now cancelled) under 35 U.S.C. 103(a) as being unpatentable over Rider (U.S. Patent 6,422,318) in view of Cherrington (U.S. Patent No. 4,319,648). Neither Rider nor Cherrington taken alone or in combination disclose or suggest the subject matter of new claims 29-36.

More particularly, neither Rider, Cherrington, nor any prior art of record discloses or suggests delivering ground water from under the bottom of a water reservoir to a power plant for cooling the power plant condensers. Further, neither Rider, Cherrington nor any prior art of record discloses or suggests delivering the ground water via pipes extended substantially horizontally under the bottom of the water reservoir at

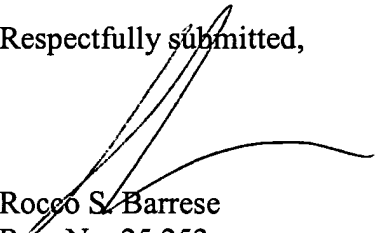
different distances from the shore and different depths under the bottom, whereby ground water drawn into the pipes is at different temperatures. Similarly, none of the references of record, including Rider or Cherrington, discloses or suggests a cooling water intake system configured to deliver cooling ground water from under the bottom of a water reservoir to a power plant for cooling the power plant condensers. Moreover, as stated above, none of the references of record discloses or suggests a cooling assembly comprising pipes extended substantially horizontally under the bottom of the water reservoir at varied distances from the shore and varied depths beneath the bottom.

Accordingly, it is respectfully submitted that new claims 29-36 are in condition for allowance and that the pending rejections be withdrawn.

Enclosed herewith is a Supplemental Information Disclosure Statement identifying certain patents and publications which have recently come to applicants' attention. It is respectfully requested that the newly submitted patents and publications be considered by the Examiner and made of record herein. It is respectfully submitted that neither these newly submitted patents and publications nor any previously submitted, cited or applied references are deemed to render the claimed subject matter unpatentable.

This application is believed to be in condition for allowance and such favorable action is respectfully requested.

Respectfully submitted,



Rocco S. Barrese  
Reg. No. 25,253  
Attorney for Applicant(s)

Dilworth & Barrese LLP  
333 Earle Ovington Boulevard  
Uniondale, New York 11553  
(516) 228-8484  
(516) 228-8516 facsimile